

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

ALESSI EQUIPMENT, INC.,

Plaintiff,

-against-

AMERICAN PILEDIVING EQUIPMENT, INC.,

Defendant.

-----X

AMERICAN PILEDIVING EQUIPMENT, INC.,

Counterclaim-Plaintiff,

-against-

ALESSI EQUIPMENT, INC.,

Counterclaim-Defendant.

-----X

The Court has reviewed Defendant and Counterclaim-Plaintiff American Pilediving Equipment, Inc.'s ("APE") objections to Plaintiff and Counterclaim-Defendant Alessi Equipment, Inc.'s ("Alessi") proposed exhibit list (the "Exhibit List"). (Docket No. 133-2). The majority of APE's objections relate to proposed exhibits containing up to thousands of pages of unrelated documents produced in discovery, (*see* PX-10–PX-12), or proposed exhibits without Bates or deposition exhibit numbers identifying them, (*see* PX-13–PX-125). With the Exhibit List in its current form, the Court is unable to determine the admissibility of these documents, nor can APE meaningfully evaluate its position relating thereto. Moreover, the Court declines to partake in the wasteful exercise of entertaining the admissibility of numerous documents encompassed within single exhibits that purport to reflect APE's entire document production. (*See* Docket No. 133-2 at 1-2).

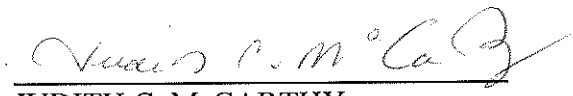
ORDER

18 Civ. 3976 (JCM)

Therefore, the Court sustains APE's objections to PX-10–PX-12 and PX-13–PX-125. By April 20, 2022, Alessi is directed to revise its Exhibit List to include the specific documents it intends to offer into evidence at trial *on an individual basis*, identified by Bates or deposition exhibit number, if any, and provide copies thereof to APE and the Court. APE is directed to advise the Court of any objections thereto by April 27, 2022.

Dated: April 13, 2022
White Plains, New York

SO ORDERED:


JUDITH C. McCARTHY
United States Magistrate Judge